

CERTIFIED FOR PUBLICATION  
IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT  
DIVISION THREE

RAQUEL SALAZAR,

Plaintiff and Appellant,

v.

DIVERSIFIED PARATRANSIT, INC.,  
et al.,

Defendants and Respondents

B142840

B144243

(Los Angeles County  
Super. Ct. No. YC033143)

ORDER MODIFYING OPINION  
[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on March 30, 2004, be modified as follows:

1. In the first line commencing at the top of page 1 of the concurring and dissenting opinion of Justice Kitching, the words “Concurring and” and a final period are inserted so that the line should read: “KITCHING, J., Concurring and Dissenting.”

2. In the second sentence of the first paragraph commencing at the top of page 3 of the concurring and dissenting opinion, the first word “We” is deleted and the word “I” is inserted in its place so that the sentence reads:

I find the latter; AB 76 applies only prospectively.

3. In the final sentence of the last full paragraph on page 3 of the concurring and dissenting opinion, the word “or” is inserted so that the sentence reads:

The presumption of prospective application of a statute will govern unless: (1) the statute contains an express retroactivity provision; or (2) extrinsic sources make it very clear that the Legislature must have intended retroactive application.

4. In the second sentence of the first paragraph commencing at the top of page 9, line 4, of the concurring and dissenting opinion, the word “preclude” is deleted and the word “precludes” is inserted in its place, and the words “this amendment,” in line 5 of the same paragraph, are deleted and the words “AB 76” are inserted in their place, so that the sentence reads:

The existence of these starkly different substantive amendments precludes any conclusion that AB 76 clarified and construed existing law.

There is no change in the judgment.